IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SAMUEL RANDOLPH, :

:

Petitioner : **No.** 1:06-CV-0901

:

v. : (Judge Conner)

.

JEFFREY BEARD, Commissioner, :

Pennsylvania Department of :

Corrections; LOUIS B. FOLINO, :

Superintendent of the State :

Correctional Institution at Greene: THIS IS A CAPITAL CASE

and FRANKLIN J. TENNIS, :

Superintendent of the State :
Correctional Institution at :
Rockview, :

:

Respondents

ORDER

AND NOW, this 5th day of January, 2010, in light of the correspondence from Petitioner received by the court on December 21, 2009 (Doc. 14), and following a telephonic conference call conducted on this date during which counsel for Petitioner expressed concern over Petitioner's current medical condition and conditions of confinement at the State Correctional Institution at Greene in Waynesburg, Pennsylvania, and in light of the court's concern over waiver of unexhausted habeas claims that may impact Petitioner's claim of actual innocence, IT IS HEREBY ORDERED THAT the stay of litigation in these habeas corpus proceedings issued by the court in the order dated February 8, 2007 (Doc. 13) shall REMAIN IN EFFECT pending the anticipated examination of Petitioner's medical records by counsel.

S/ Christopher C. Conner CHRISTOPHER C. CONNER United States District Judge